

I call the Attorney General track, and that does not require any court supervision. The Attorney General is vested, invested with the authority and the discretion to make decisions about that process. Now here I read that it would be required to have a prior district court action, and it doesn't say to approve, to disapprove, to make public comment on, or anything else. I am just...I believe that the possibility exists that this is yet a third track...

SENATOR CROSBY: One minute.

SENATOR BRASHEAR: ...that a charitable, nonprofit, in this case, I am using the example, hospital corporation, would have to go through in order to sell to a foreign for profit, a third track, and without any standards. If it said upon thirty days notice, the district court shall decide in thirty days, that is one thing. If it is a trial, we have got to have the standard for the exercise.

SENATOR KRISTENSEN: I want to make sure I can explain this in terms, yes, there is the Attorney General track. That's always been the case in this state, and the reason for that is that there is some oversight on review. I can't tell you, I've never done one of those review processes, so I can't tell you what the standard of review is on that, but it is my understanding that that occasionally does happen. What I'm...

SENATOR CROSBY: Time. Further discussion on LB 6...on the amendment to LB 681? I see no lights. Senator Kristensen, would you like to close on your amendment?

SENATOR KRISTENSEN: I would, Madam President. Senator Brashear, I want to use my closing to continue a discussion with you so I can get a handle, because I, even though people have had this amendment for three weeks, it's still one that until you get to it, it is easy to overlook. There...the purpose of doing the model nonprofit act was to maintain as much existing law as I could because I don't want to have a huge burden for practitioners saying, oh, my goodness, they just changed for the sake of changing, but this is consistent with the model act. It is also consistent with Nebraska law. When you...when you have the Attorney General's standard of review, that's going to occur, it's my understanding that's going to have to occur in your situation. As to what the standards are, I am not exactly